

REMARKS

Claims 11-20 are pending in the application. Claims 11-18 are allowed. Claims 19 and 20 were rejected for the reasons discussed below.

Claim 19 is being amended to correct a typographical error, namely to correct the dependency from cancelled claim 1 to claim 11. Support for this amendment is found in original claims 1 and 9. No new matter is being added.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

This amendment puts the claims in form for allowance, or alternatively in better form for consideration on appeal. Entry of the amendment and consideration of the following remarks is respectfully requested.

Rejection under 35 USC 112, 2nd paragraph

On page 3 of the Office Action, claims 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner states that claim 19 depends upon cancelled claim 1. As a result, claim 19 and claim 20 depending therefrom are deemed indefinite by the Examiner.

Claim 19 as amended depends from claim 11. The amendment responds to each ground of rejection raised by the Examiner and is believed to obviate the rejection. Reconsideration and withdrawal of the rejection is respectfully requested.

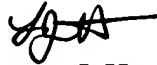
Information Disclosure Statement

An Information Disclosure Statement ("IDS") was mailed to the Patent Office on January 21, 2003, which according to Applicants' records was received by the Office January 27, 2003.¹ Applicants respectfully request the Examiner to acknowledge consideration of each citation listed in this IDS, and to include a copy of the signed and dated form PTO-1449 with the next communication to Applicants.

¹ A voice mail message was left with the Examiner on Feb. 10, 2003 noting this IDS. The undersigned had that day returned a call to the Examiner, who had telephoned on Feb. 6 (the Examiner indicating that the claims were allowable except for claim 19, which appeared to depend from claim 11 rather than claim 1). In the voice mail, the undersigned had also authorized an Examiner's amendment to change the dependency of claim 19 to claim 11.

Each of the issues raised by the Examiner has been addressed. If it would facilitate examination, the Examiner is invited to contact the undersigned.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

19. (once amended) A kit for fluorescence detection-based techniques or bioassays comprising:
- a. a suitable amount of a compound of Formula I according to Claim [1]11; and
 - b. a suitable amount of organic dye.